

5560. Misbranding of "Sayman's Healing Salve" and "Sayman's Vegetable Wonder Soap." U. S. * * * v. Thomas M. Sayman. Plea of nolo contendere. Fine, \$40 and costs. (F. & D. No. 7591. I. S. Nos. 20216-h, 12184-k.)

On October 6, 1916, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Thomas M. Sayman, St. Louis, Mo., alleging the shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about March 17, 1915, from the State of Missouri into the State of Michigan, of a quantity of an article labeled in part, "Sayman's Healing Salve," which was misbranded, and further alleging the sale by said defendant, on or about March 19, 1914, in violation of the Food and Drugs Act, as amended, under a guaranty that the article was not misbranded within the meaning of said act as amended, of a quantity of an article labeled in part, "Sayman's Vegetable Wonder Soap," which was misbranded, and which said article, in the identical condition in which it was received, was shipped by the purchaser thereof in further violation of the said act as amended, on April 1, 1914, from the State of Missouri into the State of Kansas.

Analysis of a sample of the "Healing Salve" by the Bureau of Chemistry of this department showed that it was an ointment containing chiefly petrolatum, zinc, boric acid, and camphor; the odor indicated traces of a tarry oil.

It was alleged in substance in the information that the "Healing Salve" was misbranded for the reason that certain statements appearing on its labels falsely and fraudulently represented it as a remedy for, and effective when used in connection with Sayman's soap as a remedy for indolent, purulent, scrofulous and chronic old sores, blackheads, pimples, carbuncles, felons, eczema, tetter, salt rheum, ringworm, and piles, and effective when used in connection with Sayman's soap as a remedy for the foregoing conditions and for all skin and scalp diseases, when, in truth and in fact, it was not, either when used alone or in connection with Sayman's soap.

Analysis of a sample of the "Vegetable Wonder Soap" by the said Bureau of Chemistry showed that it was a cold process coconut oil soap.

It was alleged in substance that the soap was misbranded for the reason that certain statements included in the circular accompanying it falsely and fraudulently represented it as a remedy for eczema, tetter, salt rheum, scrofulous, indolent, purulent, and chronic old sores, and, when used in connection with "Sayman's Healing Salve," as a treatment which causes ringworm, skin humor, blackheads, pimples, and pustules to disappear, and as a remedy for piles and all forms of scalp and skin diseases, when, in truth and in fact, it was not, either when used alone or in connection with "Sayman's Healing Salve."

On May 1, 1917, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$40 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*